

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
LOANDEPOT.COM, LLC,

Plaintiff,

-v-

CROSSCOUNTRY MORTGAGE, LLC, et al.,

Defendants.

CIVIL ACTION NO.: 22 Civ. 5971 (LGS) (SLC)

**ORDER**

**SARAH L. CAVE**, United States Magistrate Judge.

Pursuant to the telephonic discovery conference held on March 6, 2023 (the “Conference”), the Court orders as follows:

1. The letter-motion of Defendant CrossCountry Mortgage, LLC (“CrossCountry”) to compel Plaintiff loanDepot.com, LLC (“loanDepot”) to provide a corporate representative (the “Representative”) for deposition under Federal Rule of Civil Procedure 30(b)(6) (ECF No. 256) is GRANTED IN PART and DENIED IN PART, as follows:
  - a. CrossCountry’s request that loanDepot be required to make the Representative available for a deposition before March 10, 2023 is DENIED.  
(See ECF No. 254).
  - b. loanDepot shall prepare the Representative to testify as to:
    - i. As to Topic 1, the measures loanDepot claims in this action were used to keep basic confidential customer information (“CCI”) secret during the terms of employment of the Individual Defendants;

- ii. As to Topic 2(g), how loanDepot used CCI that any incoming loan officer provided to loanDepot at the time the loan officer joined loanDepot;
  - iii. As to Topic 2(i), how and where loanDepot stored CCI provided by newly arriving loan officers when they joined loanDepot, including the names of electronic systems loanDepot used to store CCI;
  - iv. As to Topic 3, what, if anything, occurred in January 2022 that caused loanDepot to amend, change, revise, or supplement agreements that loanDepot required newly arriving loan officers to execute; and
  - v. Topics 2(a), 2(b), 2(c), 2(f), and 2(j) in accordance with loanDepot's letter dated February 22, 2023.
- c. loanDepot shall conduct a reasonable search for, produce, and provide bates ranges for documents responsive to Topic 2(d).
  - d. As to Topic 2(h), loanDepot shall conduct a reasonable search for, produce, and provide bates ranges for the "I've Moved" email announcement distributed by, or on behalf of, the Individual Defendants, and any related distribution lists for such announcements.
  - e. loanDepot shall prepare written responses as to Topics 2(e) and 4.
- 2. By **Wednesday, March 22, 2023**, loanDepot shall provide its written responses and substantially complete its document production.
  - 3. By **Wednesday, April 5, 2023**, the parties shall complete the deposition of the Representative.

4. The parties shall order a transcript of the Conference and file it on the docket. The parties shall submit a single request to: [etranscripts@nysd.uscourts.gov](mailto:etranscripts@nysd.uscourts.gov) by **Wednesday, March 8, 2023**. The Court has prepared this Order without the benefit of the transcript, and in the event of any ambiguity, the Court's rulings on the record during the Conference shall govern.

The Clerk of Court is respectfully directed to close ECF No. 256.

Dated: New York, New York  
March 7, 2023

SO ORDERED.

  
SARAH L. CAVE  
United States Magistrate Judge